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Dated: June 27, 2006

Signature: Suzanne Mack

(Suzanne Mack)

Docket No.: MBI-0058CIP  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Heard et al.

Application No.: 10/714,887

Filed: November 13, 2003

Art Unit: 1638

For: PLANT TRANSCRIPTIONAL REGULATORS  
OF DROUGHT STRESS

Examiner: D. Kruse

**REQUEST FOR CORRECTED FILING RECEIPT**

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam or Sir:

Applicants hereby request that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicants, a copy of which is attached hereto, has the following errors:

**Requested Corrections** begin on page 2.

**Remarks** begin on page 5.

**Requested Corrections**

Under **Domestic Priority data as claimed by applicant**, please correct the following:

**Currently reads:**

“This application is a CIP of 10/412,699 04/10/2003  
which is a CIP of 09/506,720 02/17/2000 ABN  
which claims benefit of 60/135,134 05/20/1999  
and said 10/412,699 04/10/2003  
is a CIP of 09/394,519 09/13/1999 ABN  
and is a CIP of 09/533,392 03/22/2000 ABN  
and is a CIP of 09/533,029 03/22/2000 PAT 6,664,446  
and is a CIP of 09/532,591 03/22/2000 ABN  
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and is a CIP of 09/934,455 08/22/2001  
and is a CIP of 10/112,887 03/18/2002  
and is a CIP of 10/286,264 11/01/2002  
and is a CIP of 10/225,066 08/09/2002  
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which claims benefit of 60/310,847 08/09/2001  
and claims benefit of 60/338,692 12/11/2001  
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This application 10/714,887  
is a CIP of 10/666,642 09/18/2003  
which claims benefit of 60/434,166 12/17/2002  
and claims benefit of 60/411,837 09/18/2002  
and claims benefit of 60/465,809 04/24/2003”

**Should read:**

**—This application is a CIP of 10/295,403 11/15/2002  
which is a DIV of 09/394,519 09/13/1999  
and claims benefit of 60/101,349 09/22/1998  
and claims benefit of 60/103,312 10/06/1998  
and claims benefit of 60/108,734 11/17/1998  
and claims benefit of 60/113,409 12/22/1998  
This application is a CIP of 10/302,267 11/22/2002  
which is a DIV of 09/506,720 02/17/2000  
and claims benefit of 60/120,880 02/18/1999  
and claims benefit of 60/121,037 02/22/1999  
and claims benefit of 60/124,278 03/11/1999  
and claims benefit of 60/129,450 04/15/1999  
and claims benefit of 60/135,134 05/20/1999  
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and claims benefit of 60/161,143 10/22/1999  
and claims benefit of 60/162,656 11/01/1999  
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This application is a CIP of 10/278,173 10/21/2002  
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This application is a CIP of 10/669,824 09/23/2003  
This application is a CIP of 10/112,887 03/18/2002  
This application is a CIP of 10/412,699 04/10/2003  
which is a CIP of 09/489,376 01/21/2000  
and claims benefit of 60/116,841 01/22/1999  
and said 10/412,699 04/10/2003  
is a CIP of 09/819,142 03/27/2001  
and is a CIP of 10/374,780 02/25/2003  
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which claims benefit of 60/411,837 09/18/2002  
and claims benefit of 60/434,166 12/17/2002  
and claims benefit of 60/465,809 04/24/2003--

**Remarks**

Applicants respectfully Request that a corrected Filing Receipt be issued. In addition, Applicants request that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

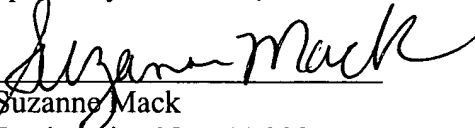
Applicants request that the section entitled "Domestic Priority data as claimed by applicant" be corrected to reflect the preceding requested corrections. A marked copy of the Official Filing Receipt received is filed herewith.

Filed herewith are a Petition to Accept an Unintentionally Delayed Claim for Benefit Under 37 C.F.R. 1.78(a)(3), an Amendment under 37 CFR 1.121, and a Supplemental Application Data Sheet, all of which are consistent with the amendment submitted herein.

In the unlikely event that the transmittal letter is separated from this document and/or the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-1025** referencing docket no. **MBI-0058CIP**.

Dated: June 27, 2006

Respectfully submitted,

By   
Suzanne Mack

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# Corrected Filing Receipt

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/714,887	11/13/2003	1638	1452	MBI-0058CIP	155	34	8

CONFIRMATION NO. 5720

Jeffrey M. Libby, Ph.D.  
Mendel Biotechnology, Inc.  
21375 Cabot Blvd  
Hayward, CA 94545

### FILING RECEIPT



\*OC000000013435668\*

Date Mailed: 08/04/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

### Applicant(s)

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Omaira Pineda, Vero Beach, CA;  
Bradley K. Sherman, Berkeley, CA;

### Assignment For Published Patent Application

Mendel Biotechnology, Inc., Hayward, CA;

### Domestic Priority data as claimed by applicant

~~This application is a CIP of 10/412,699 04/10/2003  
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and is a CIP of 09/533,030 03/22/2000 ABN  
which claims benefit of 60/125,814 03/23/1999~~

Please see  
attachment

Docketed 8/9/04



OIPE

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Please see  
Attachment

#### Foreign Applications

If Required, Foreign Filing License Granted: 08/04/2004

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

#### Title

Plant transcriptional regulators of drought stress

#### Preliminary Class

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).





## ATTACHMENT

Domestic Priority data as claimed by applicant

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